

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KBC ASSET MANAGEMENT NV, NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM, NEW YORK CITY POLICE PENSION FUND, NEW YORK CITY FIRE DEPARTMENT PENSION FUND, and TEACHERS' RETIREMENT SYSTEM OF THE CITY OF NEW YORK, Individually and on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

DISCOVER FINANCIAL SERVICES, ROGER C. HOCHSCHILD, JOHN T. GREENE, R. MARK GRAF, MARY K. BUSH, CANDACE H. DUNCAN, JOSEPH F. EAZOR, CYNTHIA GLASSMAN, THOMAS G. MAHERAS, MICHAEL MOSKOW, DANIELA O'LEARY GILL, JOHN B. OWEN, DAVID L. RAWLINSON II, and JENNIFER L. WONG,

Defendants.

Case No. 1:23-cv-06788

CLASS ACTION

Hon. Martha M. Pacold

JOINT STATUS REPORT

Pursuant to the Court's April 23, 2024 Order (Dkt. 97), the parties to the above-captioned action hereby submit this Joint Status Report.

On March 27, 2024, Defendants jointly moved to dismiss the Amended Complaint for failure to state a claim, pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act ("PSLRA"). Dkts. 89, 90. On May 2, 2024, Plaintiffs filed their opposition to the motion to dismiss. Dkt. 98. On June 3, 2024,

Defendants filed their reply. Dkt. 99. As the motion to dismiss is now fully briefed, the parties request that the Court schedule in-person oral argument on the motion at the Court's convenience. Given potential conflicts arising from pre-planned vacations or other events over the next few months, the parties respectfully request that if the Court decides to hold oral argument, it provide available dates and allow the parties then to confer and provide the Court with a mutually agreeable date.

Under the PSLRA, "all discovery and other proceedings shall be stayed during the pendency of any motion to dismiss" a private securities fraud action. 15 U.S.C. § 78u-4(b)(3)(B). Accordingly, discovery in this action remains stayed pending resolution of Defendants' motion to dismiss.

Dated: June 7, 2024

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